

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

NETSPHERE, INC.,
MANILA INDUSTRIES., INC., AND
MUNISH KRISHAN

PLAINTIFFS,

V.

JEFFREY BARON AND
ONDOVA LIMITED COMPANY.

DEFENDANTS.

CIVIL ACTION NO. 3:09-CV-0988-F

THE RECEIVER'S NOTICE OF FIFTEENTH COMMUNICATION TO FORMER BARON ATTORNEYS

On July 13, 2011, counsel for the Receiver sent a letter (the “Letter”) to all attorneys and firms who have (1) confirmed to the Receiver that they had, at one time, been engaged to represent Mr. Jeffrey Baron and/or one or more of the other Receivership Parties, (2) confirmed to the Receiver that Mr. Baron and/or one or more of the other Receivership Parties failed to pay them for certain legal services rendered (the “Attorney Claims”), and (3) submitted to the Receiver a sworn declaration relating to their Attorney Claims (the “Former Baron Attorneys”). A true and correct copy of the Letter is attached as Exhibit A.

The Letter provides the Former Baron Attorneys with notification and copies of the following filings and order in this matter and related appeals to the Fifth Circuit:

- *Objection to Ex-Parte Motion [Doc 480] to Sell Undisclosed Assets in Private Sales*, filed by Messrs. Baron and Schepps [Docket No. 638];
- *Response to Carrington Coleman Motion to Be Given Jeff Baron's Money Without Trial*, filed by Messrs. Baron and Schepps [Docket No. 639];
- *Trustee's Motion for Expedited Disposition of Case Numbers 10-11202 and 11-10113 and Other Relief*, filed by the Trustee in Fifth Circuit Case No. 10-11202 (consolidated with No. 11-10113);

- *The Receiver's Notice of Trustee's Motion for Expedited Disposition Filed in the Fifth Circuit* [Docket No. 641];
- *Motion of Appellants' for Extension of Time to File Reply Briefs*, filed by Messrs. Baron and Schepps in Fifth Circuit Case No. 10-11202 (consolidated with No. 11-10113);
- *Order* granting Messrs. Baron and Schepps' *Motion of Appellants' for Extension of Time to File Reply Briefs*, issued by the Fifth Circuit in Case No. 10-11202 (consolidated with No. 11-10113); and
- *The Receiver's Notice of the Receivership's Projected Financial Picture as of July 31, 2011* [Docket No. 642.]

Additionally, the Letter informs the Former Baron Attorneys that the Court's *Order Regarding Baron's Notice of Appeal to the United States Court of Appeals for the Fifth Circuit* [Docket No. 586], which stayed the parties from taking further action relating to, among other orders, the Court's *Findings of Fact, Conclusions of Law, and Order on Assessment and Disbursement of Former Attorney Claims* [Docket No. 575], is still in effect.

Respectfully submitted,

/s/ Barry M. Golden

Barry M. Golden

Texas State Bar No. 24002149

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**ATTORNEYS FOR THE RECEIVER,
PETER S. VOGEL**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served via the Court's ECF system on all counsel of record on July 13, 2011.

/s/ Peter L. Loh
Peter L. Loh

EXHIBIT A

GARDERE

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July 13, 2011

Former Counsel for Jeffrey Baron
Or Other Receivership Parties
Making Attorney Claims

Via E-mail

Re: *Netsphere Inc., et al. v. Jeffrey Baron, et al.*; Civil Action No. 3:09-cv-0988-F, U.S. District Court, Northern District of Texas, Dallas Division;

Notice of Recent Filings Related to Attorney Claims (Docket Nos. 638, 639, 641, 642 and certain filings and order in related Fifth Circuit appeal).

Counsel:

As you know, I am counsel for Peter S. Vogel, the Receiver of an individual named Mr. Jeffrey Baron and certain additional "Receivership Parties" (a phrase defined in the Receiver's prior correspondence to you). In an effort to keep you apprised of all developments regarding your Attorney Claims (a phrase also defined in the Receiver's prior correspondence to you), I am writing to advise you of the following filings and order in the above-referenced matter and related appeals to the Fifth Circuit:

- *Objection to Ex-Parte Motion [Doc 480] to Sell Undisclosed Assets in Private Sales*, filed by Messrs. Baron and Schepps [Docket No. 638];
- *Response to Carrington Coleman Motion to Be Given Jeff Baron's Money Without Trial*, filed by Messrs. Baron and Schepps [Docket No. 639];
- *Trustee's Motion for Expedited Disposition of Case Numbers 10-11202 and 11-10113 and Other Relief*, filed by the Trustee in Fifth Circuit Case No. 10-11202 (consolidated with No. 11-10113);
- *The Receiver's Notice of Trustee's Motion for Expedited Disposition Filed in the Fifth Circuit* [Docket No. 641];

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- *Motion of Appellants' for Extension of Time to File Reply Briefs*, filed by Messrs. Baron and Schepps in Fifth Circuit Case No. 10-11202 (consolidated with No. 11-10113);
- *Order granting Messrs. Baron and Schepps' Motion of Appellants' for Extension of Time to File Reply Briefs*, issued by the Fifth Circuit in Case No. 10-11202 (consolidated with No. 11-10113); and
- *The Receiver's Notice of the Receivership's Projected Financial Picture as of July 31, 2011* [Docket No. 642.]

Copies of such filings and order are being sent to you as attachments to the same e-mail transmitting this letter.

In my prior correspondence, I advised you of the Court's *Order Regarding Baron's Notice of Appeal to the United States Court of Appeals for the Fifth Circuit* [Docket No. 586] (the "Stay Order"), which stayed the parties from taking further action relating to, among other orders, the Court's *Findings of Fact, Conclusions of Law, and Order on Assessment and Disbursement of Former Attorney Claims*. [Docket No. 575.] The Stay Order is still in effect. The Receiver and his counsel will keep you advised of any developments.

If you have any questions, please feel free to contact me at 214.999.4391 or ploh@gardere.com.¹

Sincerely,


Peter L. Loh, Counsel for Receiver

¹ Neither the Receiver or his counsel (including myself and the other attorneys of Gardere Wynne Sewell LLP) are your attorneys and cannot provide you with legal advice. Furthermore, the fact that you received this letter shall not be taken as an indication that you will or will not be compensated for some of all of your Attorney Claims (a phrase defined in the Receiver's prior letter to you, as stated above). Lastly, to the extent that you provided legal services for which you have not been paid, and such legal services were provided to Ondova Limited Company, currently a Chapter 11 debtor in Bankruptcy Case No. 09-34784-SGJ-11 (the "Ondova Bankruptcy Case"), and such services were performed prior to the bankruptcy filing date of July 27, 2009, your claim, if it was timely filed, shall be paid (if at all) as a general unsecured claim in the Ondova Bankruptcy case and shall not (absent a specific court order) be paid by the Receiver.